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4 **UNITED STATES DISTRICT COURT**
5 **DISTRICT OF NEVADA**
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7 STEPHEN F.P. CIOLINO,

8 Plaintiff(s),

9 v.

10 STATE OF NEVADA EX REL, et al.,

11 Defendant(s).

Case No. 2:23-cv-00030-ART-NJK

ORDER

[Docket No. 27]

12 Pending before the Court is Plaintiff's motion to serve Defendants Nelson Moka, Benedicto
13 Gutierrez, James Scally, Sandra Gobler, and Timothy Smith. Docket No. 27.

14 In the order screening the complaint, the Court determined that claims against Defendants
15 Moka, Gutierrez, Scally, Gobler, and Smith could proceed. Docket No. 12. The Attorney
16 General's Office was ordered to "file a notice advising the Court and Plaintiff of: (a) the names of
17 the defendants for whom it accepts service; (b) the names of the defendants for whom it does not
18 accept service, and (c) the names of the defendants for whom it is filing the last-known-address
19 information under seal." Docket No. 22 at 2. The Attorney General's Office indicated that it
20 would not accept service for Defendants Moka, Gutierrez, Scally, Gobler, and Smith, and provided
21 their last known addresses under seal. Docket Nos. 23, 24.

22 Plaintiff's motion for service on Defendants Moka, Gutierrez, Scally, Gobler, and Smith is
23 **GRANTED**. The U.S. Marshal shall serve Defendants Moka, Gutierrez, Scally, Gobler, and
24 Smith. The Court therefore **ORDERS** as follows:

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- The Clerk's Office is instructed to mail Plaintiff five blank copies of the USM-285 form.
 - Plaintiff shall have twenty days in which to furnish the U.S. Marshal with the required USM-285 forms (with Defendants' addresses omitted).
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- The Clerk's Office shall issue summons to Defendants Moka, Gutierrez, Scally, Gobler, and Smith under seal, and deliver the complaint and that summons to the U.S. Marshal for service.
- Within twenty days after receiving from the U.S. Marshal a copy of the Form USM-285, showing whether service has been accomplished, Plaintiff must file notices identifying whether Defendants Moka, Gutierrez, Scally, Gobler, and Smith were served. If service was unsuccessful and Plaintiff wishes to have service attempted again, a motion must be filed identifying the unserved defendant and specifying a detailed name and/or address for said defendant, or whether some other manner of service should be attempted.
- Defendants' addresses shall remain sealed and shall not be provided to Plaintiff.

IT IS SO ORDERED.

Dated: February 27, 2024



Nancy J. Koppe
United States Magistrate Judge